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Dated: _____

Docket No.: 04280/1201661-US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Patrick BENOIT et al.

Application No.: 10/824,981

Filed: April 14, 2004

Art Unit: 1644

For: MONOCLONAL ANTIBODIES AGAINST
THE INTERFERON RECEPTOR, WITH
NEUTRALIZING ACTIVITY AGAINST
TYPE I INTERFERON

Examiner: Yunsoo KIM

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action mailed September 16, 2005. Submitted herewith are:

- (1) a Revocation Of Power Of Attorney With New Power Of Attorney And Change Of Correspondence Address (Form PTO/SB/82), and
- (2) a Statement Under 37 C.F.R. § 3.73(b) (Form PTO/SB/96).

The Examiner has required restriction to either anti-proliferative or anti-viral activity of human IFN type I. Applicant hereby elects claims directed to the anti-proliferative activity of human IFN type I without traverse.

Claims readable upon the elected species (i.e., claims directed to the anti-proliferative activity of human IFN type I) are claims 1-10 and 13-15.

{W:\04280\1201661us2\00577818.DOC } U.S. Application Serial No. 10/824,981

Attor

Applicant notes that upon the allowance of a generic claim, the Patent Office will consider claims to additional species, which include all the limitations of the allowed generic claim.

Conclusion

It is believed that this paper is fully responsive to the outstanding requirement for species election. Accordingly consideration of these remarks is respectfully requested.

Dated: November 16, 2005

Respectfully submitted,

By Paul M. Zagar, M.D.

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